(b) and (c) Government of India and Tea Board are closely watching the situation.

Patenting of Indian Plants

5175. SHRI BRAHMAKUMAR BHATT: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether a number of useful plants originally grown in India have been got patented by USA;

(b) the nomenclature of these plants; and

(c) the steps taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. RAMAN): (a) Patents cannot be granted for products existing in nature as they would not meet the criteria of patentability namely, novelty, inventive step and industrial applicability. However, some patents have reportedly been granted on compositions based on certain properties of plants.

(b) No such information is maintained as the patents are granted under the sovereign prerogative of countries according to their respective patent laws and are effective only in the country of grant.

(c) As and when information is received about patents being obtained on certain items which are not considered patentable and which affect Indian interests, steps are taken to assess whether the grant of such patent can be challenged under the patent laws of the country concerned. A patent granted in the United States of America on the use of turmeric in wound healing was challenged. The said patent was cancelled. It has been decided to challenge limited claims of the patent on Basmati Ricelines and grains granted in the United States of America.

Continuation of Subsidy on Agriculture

5176. SHRI SANTOSH BAGRODIA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government have approached World Trade Organisation to allow developing countries to continue agriculture subsidies;

(b) if so, the details, thereof; and

(c) what is the response from WTO?